

DETAILED ACTION

Request for Continued Examination (RCE)

The RCE filed on November 13, 2008 has been processed. A non-final follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,4,5,8-12,14-21,51-54,56,57,62,68-70 and 73-88 are rejected under 35 U.S.C. 102(e) as being anticipated by Ranjan (2002/0029193).

Ranjan discloses a method and corresponding apparatus for transferring funds utilizing a telephone identifier comprising receiving a telephone call over the telephone network that seeks to initiate a the transaction with a target, obtaining at least a telephone number Caller ID defining the telephone from which the call is being placed, authenticating the call by checking at least the telephone number Caller ID associated with the call against telephone numbers Caller IDs in a database of registrants telephone numbers Caller Ids, and response to at least said telephone number matching that of an entity registered in said database, performing the transaction by transferring funds from a first

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financial account to a second financial account (para.39-45); database contains data uniquely identifying call initiators that are registered to undertake transactions on the system (para.39-45); a transaction is completed only after authentication of both the call initiator and the c-all target (para.39-45); steps of debiting and crediting said financial accounts in connection with completion of the transaction are performed by the entity (para.39-45); transaction is completed by the target (para.39-45); obtaining from the call initiator a secondary identifier and using said secondary identifier in connection with authenticating the call initiator (para.39-45); in response to at least said telephone number matching an entity that is contained in said database, completing the transaction by performing a transfer of funds from a first financial account to a second financial account using a second network; which said second location includes a call facilitator entity which performs said authentication (para.39-45); facilitator completes said transaction only on authorization from the target of said transaction (para.39-45); facilitator transmits authentication to a telephone station at a third location for completion of said transaction (para.39-45); message is placed by an entity which initiates a payment to another by which a payment is to be made (para.39-45); transaction is completed only on approval by the entity which is to make said payment (para.39-45); database includes information concerning one or more desired payment mechanisms, and said payment mechanisms are linked to said telephone number (para.39-45); database includes information concerning one or more desired payment mechanisms and shipping preferences, and in which said information is retrieved by means of the telephone number and used in

processing a transaction (para.39-45); verifying to the sender of said call the identity of the designated target before completing said transaction (para.39-45); verification is performed by checking the given telephone number against information obtained from the telephone company (para.39-45); initiating, in response to receipt of a text message seeking to initiate a transaction, a telephone call over the telephone network, obtaining from the party to which the text message was initiated from the identifier unique to the party to which the telephone call was directed, communicating said identifier to an entity that is enabled to authenticate the identifier by checking said identifier against a database of authorized users at least the said entity and at least said identifier. Caller matches that of an entity that is registered in said database, performing the transaction by transferring funds from a first financial account to a second financial account using a second network (para.39-45); identifier is one that has been assigned by said entity to a device on which said call is being made (para.39-45); the first financial account is selected from a group consisting of a bank account, a credit card account, a debit card account and a prepaid card account (para.39-45); the transaction is cleared through an entity selected from a group consisting of an Electronic Funds Transfer network, a credit card network and an Automated Clearing House network (para.39-45); and the database comprises information concerning one or more desired payment mechanisms and wherein said payment mechanisms are linked to said telephone number (para.39-45).

Response to Arguments

Applicant's arguments with respect to claims 1,4,5,8-12,14-21,51-54,56,57,62,68-70 and 73-88 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M. Hamilton whose telephone number is (571) 272-6743. The examiner can normally be reached on Tuesday-Thursday (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kalinowski Alexander can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Lalita M Hamilton/

Primary Examiner, Art Unit 3691